

FILED BY dgj D.C.

Jan 2, 2024

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - Miami

## UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

RECEIVED BY: HWDATE: 11-17-22TIME: 11:20U.S. MARSHAL E/TN  
KNOXVILLE, TNUnited States of America  
v.

Joshua A. Holmes

**24-mj-2001-LOUIS**Case No. 3:22-CR- **115****SEALED**

Defendant

**ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Joshua A. Holmes,

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

Mail Fraud, in violation of 18 U.S.C. §1341.  
 Wire Fraud, in violation of 18 U.S.C. §1343.  
 Aggravated Identity Theft, in violation of 18 U.S.C. §1028A(a)(1).  
 Impersonating a Federal Officer, in violation of 18 U.S.C. §912.

Date: 11/16/22City and state: Knoxville, Tennessee

Issuing officer's signature

**LEANNA R. WILSON, CLERK**

Printed name and title

**Return**This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title

FID: 11495545

2374-1117-0226-J

FILED

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

NOV 16 2022

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

UNITED STATES OF AMERICA

v.

JOSHUA A. HOLMES

No. 3:22cr115

Judges: Crytzer/McCook

**INDICTMENT**

The Grand Jury charges:

**COUNTS ONE AND TWO**

**Mail Fraud  
(18 U.S.C. § 1341)**

**Relevant Individuals**

At all times material to this Indictment, unless otherwise specified below:

1. Defendant JOSHUA A. HOLMES ("HOLMES" or "Defendant") maintained a postal address in Atlanta, Georgia.
2. L.M. was a resident of Knoxville, Tennessee.

**Scheme to Defraud**

3. Beginning no later than around September 2019 and continuing through at least on or about February 7, 2020, in the Eastern District of Tennessee and elsewhere, defendant JOSHUA A. HOLMES did knowingly and intentionally execute and attempt to execute a scheme or artifice to defraud, and to obtain money belonging to L.M., by means of materially false and fraudulent pretenses, representations, and promises, as set forth more fully below.

**Purpose and Object of the Scheme**

4. It was the purpose and object of the scheme for HOLMES to enrich himself by fraudulently obtaining money from L.M. by executing the scheme described herein.

**Manner and Means of the Scheme**

In furtherance of the scheme to defraud, and to accomplish its unlawful objects, the following manner and means were used, among others:

5. HOLMES impersonated an officer of the United States—that is, HOLMES posed as a Senior Investigator with the Securities and Exchange Commission (“SEC”) using the name D.B.

6. HOLMES created an email account using the name and picture of D.B., an actual person, whose identity HOLMES used to defraud L.M.

7. HOLMES created false documents, including letterhead embossed with the official seal and address of the SEC using the name D.B.

8. HOLMES, using the false identity D.B., mailed letters and sent emails to L.M. falsely identifying himself as a Senior Investigator with the SEC and falsely representing that L.M. and her investment were part of an ongoing investigation by the SEC.

9. HOLMES, using the false identity D.B., represented in letters and emails to L.M. that the United States had seized L.M.’s investment during an investigation and that the full value of L.M.’s investment would be released to L.M. only if she paid taxes and fees.

10. HOLMES used the email account in the name of D.B., and letters purporting to be on SEC official letterhead, to communicate with L.M. and to defraud her into mailing and electronically transferring money to HOLMES under the false pretense that the United States government would release the full value of L.M.’s investment to L.M. if L.M. sent money to HOLMES.

**Execution of the Scheme**

11. On or about the dates listed below, in the Eastern District of Tennessee and elsewhere, the defendant, JOSHUA A. HOLMES, for the purpose of executing and attempting to execute the scheme and artifice to obtain money belonging to L.M. by means of materially false and fraudulent pretenses, representations and promises, caused to be deposited, sent, and delivered from the Eastern District of Tennessee to places outside the Eastern District of Tennessee by a private interstate carrier according to the direction thereon, cashier's checks, as indicated in the chart below, each row being a separate count of this indictment:

<b>Count</b>	<b>Date of Mailing</b>	<b>Description</b>	<b>Amount</b>
1	September 13, 2019	Cashier's Check payable to C.S.	\$30,000.00
2	October 30, 2019	Cashier's Check payable to HOLMES	\$86,000.00

All in violation of Title 18, United States Code, Sections 1341.

**COUNTS THREE THROUGH FIVE**

**Wire Fraud  
(18 U.S.C. § 1343)**

12. The allegations in paragraphs 1-11 are hereby repeated, realleged, and reincorporated as if fully set forth herein.

13. On or about the dates listed below, in the Eastern District of Tennessee and elsewhere, the defendant, JOSHUA A. HOLMES, for the purpose of executing the scheme described above, caused to be transmitted by means of a wire communication in interstate

commerce the following writings, signs, or signals as indicated in the chart below, each row being a separate count in this indictment:

<b>Count</b>	<b>Date of Wire</b>	<b>Description</b>	<b>Amount</b>
3	November 13, 2019	Electronic Funds Transfer	\$1,500.00
4	November 15, 2019	Electronic Funds Transfer	\$1,500.00
5	February 7, 2020	Electronic Funds Transfer	\$720.12

All in violation of Title 18, United States Code, Sections 1343.

### **COUNT SIX**

#### **Aggravated Identity Theft (18 U.S.C. § 1028A(a)(1))**

14. Beginning in or around September 2019 and continuing through at least February 2020, in the Eastern District of Tennessee and elsewhere, the defendant, JOSHUA A. HOLMES, did knowingly use, without lawful authority, a means of identification of another person; that is, the name and unique physical representation of D.B., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c); specifically, mail fraud, in violation of 18 U.S.C. § 1341, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

### **COUNT SEVEN**

#### **Impersonating a Federal Officer (18 U.S.C. § 912)**

15. Beginning on or about September 8, 2019, and continuing through on or around February 7, 2020, in the Eastern District of Tennessee and elsewhere, the defendant, JOSHUA A. HOLMES, did falsely assume and pretend to be an officer and employee acting under the authority of the United States and any department, agency, or officer thereof; that is, an

investigator with the Securities and Exchange Commission, Division of Enforcement, and in such pretended character, demanded and obtained money, paper, documents, and things of value; that is, at least \$119,720.12 from L.M., in violation of Title 18, United States Code, Section 912.

A TRUE BILL:

  
GRAND JURY FOREPERSON

FRANCIS M. HAMILTON III  
UNITED STATES ATTORNEY

By:

  
William A. Roach, Jr.  
Assistant United States Attorney